S.B.CRIMINAL MISC. BAIL APPLICATION NO.4881/06

Date : 06.11.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. T.R. Sodha for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.
Mr. D.S. Udawat for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits that the parties have reached to a compromise and no recovery is to be effected from the applicant. Learned counsel for the complainant also submits that the complainant does not want to persue the case any further as the parties have amicably settled the matter between themselves.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I deem it just and proper to grant anticipatory bail to the applicant. Accordingly, it is directed that in the event of arrest of applicant Himmat Gancha S/o Udai Lal Gancha by I.O./S.H.O. in FIR No.246/2006 P.S. Subhash Nagar, Bhilwara, he shall be released on bail provided he furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.